

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

TYLER TECHNOLOGIES, INC.,

Plaintiff,

V.

**LEXINGTON COUNTY, SOUTH
CAROLINA,**

Defendant.

Civil Action No. 3:22-1991-CMC

CONSENT AMENDED
SCHEDULING ORDER

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this District, the following schedule is established for this case.

1. Motions to join other parties and amend the pleadings (Fed. R. Civ. P. 16(b)(1)) shall be filed no later than **November 28, 2022**.
2. Plaintiff(s) shall file and serve a document identifying by full name, address, and telephone number each person whom Plaintiff(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) or, where allowed, a report prepared by counsel has been disclosed to other parties by **December 23, 2022**.
3. Defendant(s) shall file and serve a document identifying by full name, address, and telephone number each person whom Defendant(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) or, where allowed, a report prepared by counsel has been disclosed to other parties by **January 20, 2023**.
4. Counsel shall file and serve a document identifying all records custodian witnesses proposed to be presented by affidavit at trial and certifying that appropriate affidavits with attached records have been served on other parties no later than **January 20, 2023**. Objections to such affidavits must be made within fourteen (14) days after the service of the disclosure. *See* Fed. R. Evid. 803(6), 902(11), or 902(12) and Local Civil Rule 16.02(D)(3).
5. Discovery shall be completed no later than **April 14, 2023**. All discovery requests shall be served in time for the responses thereto to be served by this date. De bene esse depositions must be completed by discovery deadline. **No motions relating to discovery shall be filed until counsel have consulted and attempted to resolve the matter as required by Local Civil Rule 7.02, and have had a telephone conference with Judge Currie in an attempt to resolve the matter informally**
6. *See* Fed. R. Civ. P. 16(b)(3)(B)(v).

7. All other motions, except those to complete discovery, those nonwaivable motions made pursuant to Fed. R. Civ. P. 12, and those relating to the admissibility of evidence at trial, shall be filed on or before **May 5, 2023**. (Fed. R. Civ. P. 16(b)(2)).
8. Mediation, pursuant to Local Civil Rules 16.04 – 16.12, shall be completed in this case on or before **May 26, 2023**. See Standing Order to Conduct Mediation 4:00-mc-5001, filed December 1, 2000, which sets forth mediation requirements (<http://www.scd.uscourts.gov>). At least twenty-eight (28) days prior to this mediation deadline, counsel for each party shall file and serve a statement certifying that counsel has: (1) provided the party with a copy of Standing Order 4:00-mc-5001; (2) discussed the availability of mediation with the party; and (3) discussed the advisability and timing of mediation with opposing counsel. In addition, if mediation has been scheduled, counsel shall provide the date and time of the planned mediation.
9. No later than **August 4, 2023** the parties shall file and exchange Fed. R. Civ. P. 26(a)(3) pretrial disclosures. Within fourteen (14) days thereafter, a party shall file and exchange Fed. R. Civ. P. 26(a)(3) objections, any objections to use of a deposition designated by another party and any deposition counter-designations under Fed. R. Civ. P. 32(a)(6). **Deposition designations and counter-designations must specifically identify the portions to be offered, including page and line citations.**
10. Motions in limine must be filed by **September 8, 2023**.
11. Parties shall file pretrial briefs seven (7) days prior to the date set for jury selection (Local Civil Rule 26.05).¹ Attorneys shall meet at least seven (7) days prior to the date set for submission of pretrial briefs for the purpose of exchanging and marking all exhibits. See Local Civil Rule 26.07.
12. This case is subject to being called for jury selection and/or trial on or after **October 10, 2023**.

The parties' attention is directed to the *Notice of Availability of United States Magistrate Judge to Exercise Jurisdiction*. A copy of the form is available in the Clerk's office or at the court's internet site at <http://www.scd.uscourts.gov>.

¹Judge Currie requires that pretrial briefs be filed with the Clerk of Court as part of the public record and served on opposing parties.